

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**ISMAEL MARTINEZ,**

**Plaintiff,**

**vs.**

**FOREMOST INSURANCE COMPANY,**

**Defendant.**

**8:24CV15**

**ORDER**

This matter is before the Court on the Motion to Withdraw as Counsel ([Filing No. 19](#)) filed by Ryan M. Hoffman and Kory L. Quandt of Bressman, Hoffman, Jacobs & Quandt, P.C., L.L.O. Plaintiff's counsel seek leave to withdraw from their representation based upon Neb. Ct. R. of Prof. Conduct §3-501.16(b)(6) and (7), as the continued representation of Plaintiff "has been rendered unreasonably difficult" due to Plaintiff's repeated failure to timely and fully respond to communications from Counsel. The motion states, "the last time that Counsel has received any response from [Plaintiff] was January 11, 2024." The motion indicates Plaintiff "has been given reasonable notice of this Motion by Counsel." After review, the Court finds the motion should be granted. Accordingly,

**IT IS ORDERED:**

1. The Motion to Withdraw as Counsel ([Filing No. 19](#)) filed by Ryan M. Hoffman and Kory L. Quandt of Bressman, Hoffman, Jacobs & Quandt, P.C., L.L.O. is granted.
2. Plaintiff's counsel shall immediately serve a copy of this Order upon Plaintiff and thereafter file proof of service showing compliance with this Order, listing the name and address of the person to whom notice was sent. Plaintiff's counsel will not be relieved of their applicable duties to the Court, Plaintiff, and opposing counsel until proof of service is filed.
3. Upon filing of proof of service pursuant to Paragraph 2 of this Order, Plaintiff will be deemed to be proceeding *pro se*, that is, without the assistance of counsel, unless substitute counsel enters a written appearance on Plaintiff's behalf. Plaintiff is responsible for keeping the Court informed of Plaintiff's current contact information while proceeding without counsel.
4. Plaintiff may retain substitute counsel at any time. However, until such time as substitute counsel enters a written appearance, Plaintiff must comply with all case progression deadlines, Orders of this Court, the Federal Rules of Civil Procedure, and

this district's Local Rules of Practice. Failure to comply with these requirements may result in the imposition of sanctions, including payment of costs, attorneys' fees, and/or dismissal of the case.

5. The defendant has filed a Motion for Partial Summary Judgment ([Filing No. 15](#)). Under this district's local rules, the current deadline to respond to that motion is **April 18, 2025**. See NECivR 7.1(b)(1)(B). On the Court's own motion, that deadline is extended to **May 16, 2025**. Plaintiff is notified that failure to file a response to the Motion for Partial Summary Judgment by the deadline "precludes the opposing party from contesting the moving party's statement of facts." See NECivR 7.1(b)(1)(C).
6. Upon submission of proof of service as described in Paragraph 2 of this Order, Ryan M. Hoffman and Kory L. Quandt's appearances as counsel of record for Plaintiff will be terminated, and the Clerk of Court shall terminate electronic notice to them in this case. The Plaintiff will thereafter be deemed to be proceeding *pro se* unless and until new counsel enters an appearance on his behalf.

Dated this 10<sup>th</sup> day of April, 2025.

BY THE COURT:

s/Michael D. Nelson  
United States Magistrate Judge